

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**FILED**

APR 11 2005

<b>PATRICIA KAMMEYER, et al.</b>	:	Case No. C-1-01-649	<b>JAMES BONINI, Clerk CINCINNATI, OHIO</b>
<b>Plaintiffs</b>	:	Spiegel, J. Black, M.J.	
<b>vs.</b>	:	<b>PLAINTIFFS' MEMORANDUM IN OPPOSITION TO DEFENDANT NUSS' MOTION TO COMPEL (DOC. 247)</b>	
<b>CITY OF SHARONVILLE, et al.</b>	:		
<b>Defendants</b>	:	(FILED UNDER SEAL)	
	:		
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This memorandum addresses Defendant Nuss' second set of interrogatories served upon Plaintiffs on August 30, 2003. Defendant Nuss asserts in his motion to compel that Plaintiffs' response are insufficient. Plaintiffs raise two arguments herein. Plaintiffs first argue that Defendant Nuss waived his right to file a motion to compel. Plaintiffs next argue that their responses are sufficient.

**INTRODUCTION**

This is a civil rights action arising from the murders of Marie Wright and Starla Burns. Marie Wright and Starla Burns were murdered by either Albert Schuhholz or someone acting under his direction. Defendant Nuss was the Chief of Police in 1981 when Marie Wright and Starla Burns was murdered. The detective assigned to investigate the murders was Defendant James Cramer. Defendant Cramer, alone or acting in concert with other defendants, lost or destroyed evidence, lied to prosecutors, and lied to the plaintiffs. Defendant Nuss along with the other defendants covered this up and blocked Plaintiffs from the truth for more than 20 years.

